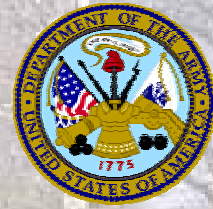


# Central Region Review



## U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ DECEMBER 2004 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative and regulatory developments in federal Regions 6 and 7. The *REVIEW* is prepared by Versar, Inc., in support of the Central Regional Environmental Office (CREO), to assist you in your compliance efforts. Current and past issues of this *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please e-mail [CREO.regulatory.specialist@nwk02.usace.army.mil](mailto:CREO.regulatory.specialist@nwk02.usace.army.mil) or call (816) 983-3327 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

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### CENTRAL REGIONAL ENVIRONMENTAL OFFICE PERSONNEL DIRECTORY

#### CREO Chief/DoD Region 7 REC:

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The list of **Acronyms and Abbreviations** is listed on the AEC web site and DENIX. The address for each site can be found on the last page of this document.

**Notice: Final Hard Copy Issue.** The CREO has encouraged its readers to sign-up for the e-mail version of the Central Region Review. In the interest of conserving resources, **the CREO will end the practice of mailing hard copies of the Central Region Review with this issue.** If you receive a hard copy of the Review and wish to receive an electronic copy, please provide your e-mail address to [CREO.regulatory.specialist@nwk02.usace.army.mil](mailto:CREO.regulatory.specialist@nwk02.usace.army.mil). We will then put you on the distribution list. CREO can provide hard copies to those who do not have access to e-mail.

**Assistance in Environmental Regulations Impact.** The CREO has, in the past, successfully assisted installations in moderating environmental regulations that impact on current operations. If you need assistance in this regard, please contact the CREO Chief/DoD Region 7 REC at (816) 983-3449 or Regional Counsel at (816) 983-3448. CREO stands ready to assist you in resolving these types of issues.

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## REGION 6 STATE ACTIVITY

### Regulatory & Legislative Web Sites

Arkansas Department of Environmental Quality (ADEQ)	<a href="http://www.adeq.state.ar.us">http://www.adeq.state.ar.us</a>
Arkansas General Assembly	<a href="http://www.arkleg.state.ar.us/">http://www.arkleg.state.ar.us/</a>
Louisiana Department of Environmental Quality (LDEQ)	<a href="http://www.deq.state.la.us">http://www.deq.state.la.us</a>
Louisiana Legislature	<a href="http://www.legis.state.la.us/">http://www.legis.state.la.us/</a>
New Mexico Environment Department (NMED)	<a href="http://www.nmenv.state.nm.us/">http://www.nmenv.state.nm.us/</a>
New Mexico Legislature	<a href="http://legis.state.nm.us/">http://legis.state.nm.us/</a>
Oklahoma Department of Environmental Quality (ODEQ)	<a href="http://www.deq.state.ok.us">http://www.deq.state.ok.us</a>
Oklahoma Legislature	<a href="http://www.lsb.state.ok.us/">http://www.lsb.state.ok.us/</a>
Texas Commission on Environmental Quality (TCEQ)	<a href="http://www.tnrcc.state.tx.us">http://www.tnrcc.state.tx.us</a>
Texas Legislature	<a href="http://www.capitol.state.tx.us/">http://www.capitol.state.tx.us/</a>

### ARKANSAS

### Legislative/Regulatory Activity

**Note:** State of Arkansas legislature will convene from 10 January to 10 March 2005 for regular session.

### STATE OF ARKANSAS PROPOSED RULE

(UPDATE) **AR Department of Environmental Quality (ADEQ) Proposed Regulation: Update of Solid Waste Management Regulation (Regulation 22).** The Department has proposed amendments to its solid waste management regulation to update the rule and incorporate legislative changes that have occurred since the rule was last revised in 1995. The changes include new and revised requirements for solid waste disposal facility design and operation, and monitoring and reporting requirements. The changes also include new requirements for composting facilities, transfer stations, and construction and demolition recovery facilities. The Arkansas Pollution Control and Ecology Commission approved the draft at its 27 August 2004 meeting. ADEQ staff anticipates that the regulations will be finalized in February or March 2005. A draft of amendments to the regulation is available at: [http://www.adeq.state.ar.us/regs/drafts/reg22\\_draft\\_docket\\_04-00X-R/reg22\\_draft\\_docket\\_04-00x-R\\_markup.pdf](http://www.adeq.state.ar.us/regs/drafts/reg22_draft_docket_04-00X-R/reg22_draft_docket_04-00x-R_markup.pdf). For additional information, please call Pat Henry at (501) 682-0588.

CREO Comment: The amendments are being reviewed by CREO. After review a recommended course of action will be determined and summarized in the Central Region Review as a "heads up" to the installations with a request for comments. This proposed regulation may have the potential to impact DoD activities and installations in Arkansas. Any comments should be forwarded to the Army REC at (816) 983-3450.

(UPDATE) **AR Department of Environmental Quality Proposed Regulation: Amendments to Recycling Regulations (Regulation 28).** The Department has proposed revisions to Regulation 28 (County Recycling Programs) of the State of Arkansas. The revisions will change the reporting requirements for recycling from semi-annual to annual and require facilities to collect three or more materials from the acceptable recycling list. They will also add electronics, whole tires, yard waste, and lead acid batteries to the list of acceptable materials for recycling. Additionally, the revisions will make administrative changes to the format and style of the regulations. The Arkansas Pollution Control and Ecology Commission approved the draft at its 23 July 2004 meeting. ADEQ staff reports that the Department received no comments on this rulemaking and the tentative effective date for this regulation will be 3 December 2004. The draft document is available at [http://www.adeq.state.ar.us/regs/drafts/reg28\\_draft\\_docket\\_04-004-R/reg28\\_draft\\_docket\\_04-004-R\\_markup.pdf](http://www.adeq.state.ar.us/regs/drafts/reg28_draft_docket_04-004-R/reg28_draft_docket_04-004-R_markup.pdf). For additional information, please call Deborah Pitts at (501) 682-0883.

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**Note:** State of Louisiana legislature will convene from 25 April to 23 June 2005 for regular session.

## **STATE OF LOUISIANA FINAL RULES**

**(Effective 20 October 2004) LA Department of Environmental Quality Proposed Regulation Published 20 July 2004: Adoption of Federal Lead And Copper Standards for Drinking Water (LAC 51:XII.101, 301 And Chapter 17).** The Department has revised its drinking water regulations to incorporate updated federal standards for drinking water and for public water supply quality. The revisions update the definition of "National Primary Drinking Water Regulations" in order to keep it current with the federal definition. The revisions also add a new Chapter 17 that contain the federal "National Primary Drinking Water Regulations for Lead and Copper; Final Rule". The regulations are final, effective 20 October 2004. The final revisions are on pages 2326-2327 of the 20 October 2004 issue of the Louisiana Register, available at <http://www.doa.state.la.us/osr/reg/0410/0410Rul.pdf>. For additional information, please contact R. Douglas Vincent (225) 342-9500.

**(Effective 5 November 2004) LA Department of Environmental Quality Final Emergency Rule (Extension): Alternative Penalty Assessment Mechanism for Penalty Agreements (OS054E2) (LAC 33:I.801, 803, 805, And 807).** The Department has re-adopted an emergency rule intended to abate the delay in correcting minor and moderate violations of the Environmental Quality Act. The rule provides an alternative penalty assessment mechanism that the department may use, at its discretion, to expedite penalty agreements in appropriate cases. This rule is part of a pilot program and helps the LDEQ gather information to formulate a long-term rule. As part of an expedited penalty agreement, the rule allows the Department to assess predetermined penalties for specific types of violations and provides a table that sets out such penalties. The total penalty assessed for an expedited penalty agreement cannot exceed \$1,500 for one violation or \$3,000 for two or more violations per penalty assessed. The rule specifies that an expedited penalty agreement can only be used when nine factors for consideration are satisfied. The rule was originally effective 10 March 2004. This rule has been extended again and is effective 5 November 2004. The emergency rule will remain in effect for a maximum of 120 days or until a final rule is promulgated. Since this is an emergency rule, there was no hearing or comment period. The most recent version of the rule is available at <http://www.deq.state.la.us/planning/regs/pdf/OS054E2.pdf>. For additional information, please contact Mike D. McDaniel (504) 342-1201.

## **STATE OF LOUISIANA PROPOSED RULES**

**(NEW) LA Department Of Environmental Quality Proposed Regulation: Revisions to the Part 70 General Air Permit Template (0410Pot1).** The Department is proposing a revised template for the Part 70 General Air Operating Permits and is accepting comments on the proposed "Facility-Specific Requirements" section that lists what regulations might apply to a facility that submits an application for the permit. The public is also invited to comment on the language of specific requirements that might be included in a facility's permit. The Department may not schedule a public hearing for this revision but will hold one if it finds a significant degree of public interest in the revisions evidenced by the submission of written requests for a public hearing. The Department accepted comments through 22 November 2004. For additional information, please call Keith Jordan at (225) 219-3004.

**(UPDATE) LA Department of Environmental Quality Proposed Regulation: Codification of Departmental Hazardous Waste Delisting Policies (HW086) (LAC 33:V.105 and 4999.Appendix E).** The Department has proposed amendments to its regulations that govern hazardous waste delisting. The amendments codify existing departmental policies regarding exclusion from hazardous waste regulations. They also standardize the provisions on data submittal, re-opener language and notification requirements in order to ensure consistency for petitioners who request hazardous waste exclusions. The amendments require petitioners requesting hazardous waste exclusion to use an independent laboratory and an independent data validator to perform the necessary testing. Additionally, the amendments require that all four sampling rounds include analyses of dioxins and furans. The Department sent this rule to the Legislative Oversight Committee for review on 11 October 2004. The proposed amendments are available at <http://www.deq.state.la.us/planning/regs/pdf/HW086pro.pdf>. For additional information, please call Judith Schuerman at (225) 219-3550.

(UPDATE) **LA Department of Environmental Quality Proposed Regulation: Repeal of Creditable Nitrogen Oxides (NO<sub>x</sub>) Reductions Trading -- AQ242 (33 LAC:III.504).** LDEQ has proposed to repeal its inter-pollutant trading regulations. The revision also repeals the option of using creditable nitrogen oxide (NO<sub>x</sub>) reductions to offset significant increases of volatile organic compounds (VOC). The proposed regulation only allows emission reductions claimed as offset credit to come from decreases of the same pollutant or pollutant class. The Department intends for the revision to prevent potential increases in the release of highly reactive VOC that may lead to exceedances in the Baton Rouge ozone non-attainment area. The regulation was sent to the Legislative Oversight Committee on 18 October 2004. Please go to <http://www.deq.state.la.us/planning/regs/pdf/AQ242pro.pdf>. For additional information, please contact Judith Schuerman at (225) 219-3550.

(UPDATE) **LA Department of Environmental Quality Proposed Regulation: Increase in Penalty for a "Major" Violation (OS060) (LAC 33:I.503, 505, 507 And 705).** The Department has proposed amendments to the regulations that set the penalties for violations. The amendments increase the maximum penalty for violations that are "major" from \$27,500 to \$32,500. The amendments also correct the statutory maximum for a penalty event that is a violation of a previous enforcement action. Additionally, the amendments change the regulations to clarify the confidentiality of public records. The regulations were sent to the Legislative Oversight Committees on 5 November 2004. The proposal is available online at <http://www.deq.state.la.us/planning/regs/pdf/OS060pro.pdf>. For additional information, please contact Judith Schuerman at (225) 219-3550.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(UPDATE) **LA Department of Environmental Quality Final List: 2002 303(d) List of Impaired Waters.** LDEQ has finalized the 2002 Section 303(d) list of impaired waters. Staff reports that USEPA has not approved the 2002 and 2004 lists. The Department met with USEPA to discuss the lists in August 2004. Staff reports that the Department recently submitted revisions of and answers to questions for the 2002 and 2004 lists to USEPA. USEPA will review the submission and public notice its final decision about whether to approve the lists. The final results for the 2002 303(d) list and integrated report process can be found in documents under the "Water Quality Assessment" heading on the Department's TMDL website, available at <http://www.deq.state.la.us/technology/tmdl/index.htm>. For additional information, please call Albert Hindrichs at (225) 219-3590.

(UPDATE) **LA Department of Environmental Quality Final TMDL: Revised Dissolved Oxygen Criteria For Beaucoup Creek, Middle Fork Bayou D'Arbonne, Bayou Cocodrie, And Cocodrie Lake - WQ042 (33 LAC IX.1123.C3).** Staff reports that EPA has granted informal approval for the Vermilion-Teche Basin TMDL and the Department should receive formal approval by the end of 2004. For additional information, please call Emelise Cormier at (225) 765-0355.

(UPDATE) **LA Department of Environmental Quality Final TMDLs.** Staff reports that EPA approved the following TMDLs on or about 30 July 2004. For additional information, please call Emelise Cormier at (225) 765-0355.

**TMDL for Bayous Chevreuil, Verret, Citamon, and Grand Bayou in the Barataria Basin.** The EPA approved a TMDL for oxygen-demanding substances and associated allocations. The TMDL report and its appendices are available on the Department's website at [http://www.deq.state.la.us/technology/tmdl/pdf/VerretChevreuilCitamonGrand\\_BOD\\_Append.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/VerretChevreuilCitamonGrand_BOD_Append.pdf) and [http://www.deq.state.la.us/technology/tmdl/pdf/VerretChevreuilCitamonGrand\\_BOD.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/VerretChevreuilCitamonGrand_BOD.pdf).

**TMDL for Bayou Bouef and Lake Bouef.** The EPA approved a TMDL for oxygen-demanding substances and associated allocations. The TMDL report and its appendices are available at [http://www.deq.state.la.us/technology/tmdl/pdf/bboeufhalpintheriotlboeuf\\_bod.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/bboeufhalpintheriotlboeuf_bod.pdf) and [http://www.deq.state.la.us/technology/tmdl/pdf/bboeufhalpintheriotlboeuf\\_bod\\_append.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/bboeufhalpintheriotlboeuf_bod_append.pdf).

**TMDL for Bayou des Allemands.** The EPA approved a TMDL for oxygen-demanding substances and associated allocations. The TMDL report and its appendices are available at the following links: [http://www.deq.state.la.us/technology/tmdl/pdf/B\\_DesAllemands\\_BOD.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/B_DesAllemands_BOD.pdf) and [http://www.deq.state.la.us/technology/tmdl/pdf/B\\_DesAllemands\\_BOD\\_Append.pdf](http://www.deq.state.la.us/technology/tmdl/pdf/B_DesAllemands_BOD_Append.pdf).

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**Note:** State of New Mexico legislature will convene from 18 January to 19 March 2005 for regular session.

### STATE OF NEW MEXICO PROPOSED RULE

(UPDATE) **NM Albuquerque/Bernalillo County Air Quality Control Board Proposed Regulation Published 14 October 2004: Incorporation by Reference of Federal Regulations for New Source Performance Standards and Emissions Standards for Stationary Sources (20.11.63 NMAC, 20.11.64 NMAC).** The Department's Air Quality Control Board has proposed amendments to its regulations that govern New Source Performance Standards for stationary sources and that govern emission standards for hazardous air pollutants for stationary sources. The amendments incorporate by reference updates to the relevant federal regulations through 1 July 2004. The Board proposes that federal new source performance standards for municipal solid waste landfills be excluded from local enforcement and that emission standards for emissions of radionuclides other than radon from Department of Energy facilities be excluded from local enforcement. The Board held a public hearing on the amendments 10 November 2004. Comments were due 3 November 2004. *For additional information, please call Neil Butt at (505) 768-2600.*

### OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) **NM Environment Department Water Quality Planning Draft Report: 2004 Integrated 303(d)/305(b) List of Assessed Surface Waters.** The Department has finalized a 2004 Integrated Clean Water Act 303(d)/305(b) List of Assessed Surface Waters. The list identifies waterbodies throughout the state that have been found to violate the surface water quality standards and are therefore considered "impaired" or "water quality limited." Once waterbodies are included on this list, the Department is then required to develop a TMDL to establish quantified goals for water quality conditions that may then determine what actions are needed to restore or protect the health of the waterbody. NMED submitted the list to USEPA on 18 June 2004 and USEPA approved the list in September 2004. The final 2004 list is available at: <http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/index.html>. *For additional information, please contact Lynette Guevara at (505) 827-2904.*

(UPDATE) **NM Environment Department Water Quality Planning Draft Report: Amendment to the 2004 Integrated 303(d)/305(b) List of Assessed Surface Waters.** The Department has proposed changes to its 2004 303(d) List that was approved by Water Quality Control Commission in June 2004. The Department has issued the proposal for the purpose of soliciting public comment on changes to the Sedimentation/Siltation listings in the San Juan River Basin and changes to Nutrient/Eutrophication Biological Indicators in the Mora River. The Water Quality Control Commission considered final approval of the listing changes at its meeting on 9-10 November 2004. The proposed changes are available at [http://www.nmenv.state.nm.us/swqb/Projects/SanJuan/SBD/DRAFT-SJR\\_SBD\\_Protocol09\\_14\\_04.pdf](http://www.nmenv.state.nm.us/swqb/Projects/SanJuan/SBD/DRAFT-SJR_SBD_Protocol09_14_04.pdf), [http://www.nmenv.state.nm.us/swqb/Projects/MoraRiver/Nutrients/MoraRiver-NutrientListing\\_09-14-04.pdf](http://www.nmenv.state.nm.us/swqb/Projects/MoraRiver/Nutrients/MoraRiver-NutrientListing_09-14-04.pdf), and [http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/FinalDraft/AppendixB/ProposedChanges-2004\\_IntegratedListEntries-Mora+SanJuanRivers.pdf](http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/FinalDraft/AppendixB/ProposedChanges-2004_IntegratedListEntries-Mora+SanJuanRivers.pdf). *For additional information, please contact Lynette Guevara at (505) 827-2904.*

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**Note:** State of Oklahoma legislature will convene from 7 February to 27 May 2005 for regular session. An organizational session will be held on 4 January 2005.

### STATE OF OKLAHOMA PROPOSED RULE

(UPDATE) **OK Department of Environmental Quality Proposed SIP Revisions: Attainment of the 8-Hour Ozone Standard in OK.** ODEQ has proposed early State Implementation Plan (SIP) submittals for Oklahoma City and Tulsa to address attainment of the 8-hour ozone standard in Oklahoma. The early SIP submittal



would be the result of a local Early Action Compact (EAC). The Early Action Compact concept allows an area to defer on official designation of non-attainment for ozone if an early approvable SIP is submitted. The proposed Oklahoma City and Tulsa SIP submittals are available at [http://www.deq.state.ok.us/AQDnew/whatsnew/SIP/EAC\\_SIP.htm](http://www.deq.state.ok.us/AQDnew/whatsnew/SIP/EAC_SIP.htm). For additional information, please contact Leon Ashford at (405) 702-4173.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(NEW) OK Department of Environmental Quality, Air Quality Council Special Meeting.** Topics to be discussed include Subchapter 4, New Source Performance Standards (IBR); Subchapter 17, Incinerators, to make it clear that air curtain incinerators are subject to Title V rules; partitioning Subchapter 41 into 2 subchapters, Control Of Emission Of Hazardous Air Pollutants And Toxic Air Contaminants to clarify and modify state only requirements for emission stationary source standards and relocate these standards to Subchapter 42, Control Of Toxic Air Pollutants (TAPS), Appendix O, Toxic Air Pollutants Ambient Air Concentration Standards (TAP AACS). Subchapter 41 will contain the federal standards for HAPs and asbestos. The special meeting will be held on 9 December 2004 in Oklahoma City, Oklahoma. For additional information, please contact Scott Thomas at (405) 702 4100.

**(NEW) OK Department of Environmental Quality Departmental Discussion: Amendments to New Source Review Regulations.** ODEQ is discussing potential revisions to its New Source Review regulations. The revisions would update the regulations with new federal requirements. Staff reports that the Department may propose revisions in March or April 2005. For additional information, please contact Scott Thomas at (405) 702-4100.

**(UPDATE) OK Department of Environmental Quality Final Report: 2004 303 (d) Water Quality Assessment Report.** The Department has finalized a draft 2004 Integrated Water Quality Assessment Report. The report meets the requirements of 305(b) and 303(d) of the Clean Water Act by categorizing waters based on their compliance with the act and by identifying impaired waters. The Department submitted the report to USEPA on 8 October 2004. The updated report is available at [http://www.deq.state.ok.us/WQDnew/305b\\_303d/2004\\_integrated\\_report\\_draft.pdf](http://www.deq.state.ok.us/WQDnew/305b_303d/2004_integrated_report_draft.pdf). For additional information, please contact David Gann at (405) 702-8198.

**(UPDATE) OK Department Of Environmental Quality Departmental Discussion: Review of Industrial Wastewater Systems Regulations (OAC 252:616).** ODEQ has convened a workgroup to review and possibly revise the regulations for industrial surface impoundments and for the land application of industrial sludge and wastewater. The Department is conducting a review of its industrial wastewater systems regulations. The ODEQ has convened a workgroup to review and possibly revise the regulations for industrial surface impoundments and for the land application of industrial sludge and wastewater. The Department held a workgroup meeting on 28 October 2004. Staff reports that the review will lead to minor regulation changes in early 2005 and more substantial revisions in spring 2006. The next workgroup meeting is scheduled for 16 December 2004. For additional information, please contact Shellie Chard McClary at (405) 702-8154.

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## **TEXAS**

## **Legislative/Regulatory Activity**

**Note:** State of Texas legislature will convene from 11 January to 30 May 2005 for regular session.

## **STATE OF TEXAS FINAL RULE**

**(Effective 18 November 2004) TX Commission on Environmental Quality Adopted Regulation: Emissions Reductions for Portable Fuel Containers (2004-033-115-AI) (30 TAC 115).** TCEQ has adopted portable fuel container regulations. The regulations set emissions reduction criteria for portable fuel containers sold in Texas after 1 January 2006. The regulations limit emissions of volatile organic compounds (VOCs) through the use of portable fuel containers designed to minimize spillage and fugitive evaporative emissions. The regulations also specify performance standards, testing requirements, and labeling requirements for portable fuel containers manufactured on or after 1 January 2006, for sale in Texas. TCEQ adopted the regulations 27 October 2004. The tentative effective date is 18 November 2004. An updated proposal is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/adoptions/04033115\\_ado.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/adoptions/04033115_ado.pdf). For additional information, please call Joseph

Thomas at (512) 239-4580.

## **STATE OF TEXAS PROPOSED RULE**

**(NEW) TX Water Development Board Proposed Rule Published 8 October 2004: Updates to Regional and State Water Planning Guidelines (31 TAC 357, 358, 363, 371 And 375).** The Board has proposed amendments to its regulations that govern regional and state water plans. The amendments remove certain requirements for reporting information about water pipelines. They also specify that requirements for annual submissions of water use surveys are limited to persons and/or entities using groundwater and surface water for municipal, industrial, power generation, or mining purposes. In addition, the amendments revise the regulations on financial assistance programs and on the drinking water and clean water state revolving funds. The Board accepted comments on the proposed revisions on 8 November 2004. The proposed revisions are available on the Board website: <http://www.twdb.state.tx.us/publications/rules/rules.asp>. For additional information, please contact Geoff Petrov at (512) 463-7847.

**(NEW) TX Commission on Environmental Quality Draft Regulation: Amendments to Stage I and Stage II Vapor Recovery Rules (2005-001-115-AI) (30 TAC 115).** TCEQ has drafted amendments to its Stage I and Stage II Vapor Recovery regulations. The amendments make minor revisions to the regulations to allow for the use of new technologies. The amendments specify that those regulated may use equipment and systems certified by third parties in addition to those certified by the California Air Resources Board. The Commissioners reviewed the draft on 17 November 2004. A public hearing is tentatively scheduled for 3 January 2005. The tentative comment due date is 3 January 2005. The draft is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/proposals/05001115\\_pro.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/proposals/05001115_pro.pdf). For additional information, please contact Joseph Thomas (512) 239-4580.

**(NEW) TX Commission on Environmental Quality Draft Plan: October 2004 Update to Water Quality Management Plan.** TCEQ has issued a draft October 2004 update of the Water Quality Management Plan (WQMP). The WQMP is developed and promulgated in accordance with the requirements of the Federal Clean Water Act (CWA), Chapter 208. The October 2004 draft contains projected effluent limit updates. TCEQ will accept comments on the October draft through 6 December 2004. The draft is available at [http://www.tnrc.state.tx.us/permitting/waterperm/wqmp/oct\\_04\\_draft.pdf](http://www.tnrc.state.tx.us/permitting/waterperm/wqmp/oct_04_draft.pdf). For additional information, please contact Nancy Vignali at (512) 239-1303.

**(NEW) TX Department of State Health Services Proposed Regulation Published 29 October 2004: Amendments to Standards for Lead-Based Paint Activities (25 TAC 295.202, 295.204-.212, 295.214-.216, 295.220).** The Department has proposed revisions to its regulations that govern the certification, accreditation and standards for lead-paint activities. The revisions phase out three-year accreditations through the renewal of such accreditations for two-year terms upon expiration. They also phase out three-year certifications in the same manner. Additionally, the revisions authorize the Department to collect subscription and convenience fees. The proposed revisions are available in the 29 October 2004 TX Register beginning on page 95: <http://www.sos.state.tx.us/texreg/pdf/currview/1029prop.pdf>. For additional information, please contact Alan Morris (512) 834-6600.

**(UPDATE) TX Commission on Environmental Quality Proposed Regulation: Amendments to Rules Governing Petroleum Storage Tanks (30 TAC 334.2, 334.49, 334.302, 334.306, 334.307, 334.308, 334.309, 334.310, 334.313, 334.314, 334.322, 334.533 And 334.560).** TCEQ is proposing amendments to the Petroleum Storage Tank (PST) rules. The amendments concern: (1) definitional changes; (2) registration for Underground Storage Tanks (USTs) and UST Systems; (3) certification for USTs and UST Systems; (4) reporting and record Keeping; (5) corrosion protection; (6) permanent removal from service; (7) general conditions and limitations regarding reimbursements; (8) application requirements; (9) technical information; (10) costs; (11) eligibility requirements; (12) fund payment reports; (13) audits; and (14) notices of overpayment. TCEQ was scheduled to review the regulations for adoption at its 13 October 2004 meeting; however, review for adoption of this regulation was extended to the Commission meeting 27 October 2004. The proposed regulation is online at [http://www.tnrc.state.tx.us/permitting/r\\_e/reimb/stake\\_reimb.html#rules](http://www.tnrc.state.tx.us/permitting/r_e/reimb/stake_reimb.html#rules). For additional information, please contact Michael Bame at (512) 239-5658.

(UPDATE) **TX Commission on Environmental Quality Draft Regulation: Technical Corrections to Fugitive VOC Emission Rules (2004-052-115-AI) (30 TAC 115.352, 115.354-115.357, 115.359).** TCEQ is preparing technical corrections to the rules that govern fugitive Volatile Organic Compound (VOC) emissions. The technical corrections would include minor corrections to the language of the rule. Based on the request of an industry group, TCEQ also plans to propose language that would remove some of the general VOC rules to the sections of the regulations that pertain to Highly Reactive Volatile Organic Compounds (HRVOC). The rulemaking would also remove certain record-keeping requirements from the general volatile organic fugitive emissions rules. TCEQ approved the proposal at its 23 June 2004 meeting and expects that the rule will be adopted in either November or December 2004. An updated version of the rulemaking is available at: [http://www.tnrc.state.tx.us/oprd/rule\\_lib/adoptions/04052115\\_ado.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/adoptions/04052115_ado.pdf). For additional information, please contact Alan Henderson at (512) 239-1510.

(UPDATE) **TX Commission on Environmental Quality Proposed Regulation: Repeal of Motor Vehicle Idling Limitations (2004-043-114-AI) (30 TAC 114.500 - 114.509).** TCEQ has proposed the repeal of motor vehicle idling limitations. The rulemaking repeals current rules that prohibit motor vehicles over 14,000 pounds from idling for more than 5 consecutive minutes within the Houston-Galveston non-attainment area counties from 1 April to 31 October of each calendar year. The Houston-Galveston non-attainment counties are Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties. The proposal was approved on 26 May 2004. Public hearings were held 2, 3 and, 5 August 2004. Comments were due 9 August 2004. Staff indicates that the comments are being reviewed and the package went to TCEQ for review 27 October 2004. The Commissioners' review for adoption has been continued to the 1 December 2004 meeting. The proposal is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/proposals/04043114\\_pro.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/proposals/04043114_pro.pdf). For additional information, please call Debra Barber at (512) 239-0412.

(UPDATE) **TX Commission on Environmental Quality Proposed Regulation Published 30 July 2004: Implementation of Large Vehicle Idling Prohibitions in Certain Local Jurisdictions (2004-072-114-AI) (30 TAC 114.510-512, 114.517).** TCEQ has proposed regulations that implement idling limits for gasoline and diesel-powered engines in heavy-duty motor vehicles (vehicles with a gross vehicle weight rating over 14,000 lbs) within the jurisdiction of any local government that has signed a Memorandum of Agreement with TCEQ to delegate enforcement to that local government. In these jurisdictions, the proposal prohibits idling for longer than five consecutive minutes when the vehicle is not in motion between 1 April and 31 October 2004. This rule was adopted on 17 November 2004. An updated proposal is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/adoptions/04072114\\_adoCLEAN.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/adoptions/04072114_adoCLEAN.pdf). For additional information, please call Joseph Thomas at (512) 239-4580.

CREO Comment: The DoD Regional Environmental Coordinator for Region 6 has submitted comments to exempt U.S. military, national guard or reserve forces vehicles. DoD comments requesting exemption for military vehicles were included in the adopted version.

(UPDATE) **TX Commission on Environmental Quality Draft Rules: Municipal Designation Settings for Groundwater (2003-051-352-WS) (30 TAC 39, 281, 352).** TCEQ is in the process of developing regulations that would allow for applications for a Municipal Setting Designation (MSD). Under certain conditions, TCEQ may grant an MSD where groundwater is contaminated but not used as potable water. Designation of an area as an MSD may result in lower costs for site investigation and remediation. TCEQ is developing these regulations to implement House Bill 3152 from the 78th Legislature that became effective 1 September 2003. Staff reports that TCEQ will implement the statute without new regulations. For additional information, please call Chet Clark at (512) 908-2218.

(UPDATE) **TX Commission on Environmental Quality Proposed Regulation Published 30 July 2004: Amendments to Reduce Ozone Precursors in San Antonio and Austin Early Action Compact Areas (2004-073-115-AI) (30 TAC 115.227, 115.229, 115.412, 115.413, 115.415-417, 115.419, 115.512, 115.516, 115.517, 115.519).** TCEQ has proposed amendments to Chapter 115 to reduce ozone precursors in the San Antonio Early Action Compact (EAC) area and the Austin EAC area. TCEQ intends for the proposed amendments to enable the areas to attain and maintain the 8-hour ozone standard by 2007. The proposed amendments lower exemption levels for motor vehicle fuel dispensing facilities subject to Stage 1 vapor recovery controls from 125,000 gallons to 25,000 gallons a month. The amendments also add the counties in the two EAC areas to those subject to control requirements for cold solvent cleaning, open-top vapor degreasing, and conveyORIZED degreasing. Additionally, the amendments would add the counties in the two EAC areas to those subject to control requirements for cutback asphalt. The Commissioners reviewed these regulations for adoption at a 17 November 2004 meeting. An update



proposal is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/proposals/04073115\\_pro.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/proposals/04073115_pro.pdf). For additional information, please call Emily Barrett at (512) 239-3546.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(UPDATE) TX Commission on Environmental Quality Departmental Discussion: Consideration of Amendments to Compliance Dates for Low Emission Diesel Standards (2004-095-PET-NR) (30 TAC §§114.312 - 114.319).** TCEQ has been prompted by a 3rd party petition requesting the extension of compliance dates for low emission diesel fuel standards to recommend revisions to its low emission diesel rules. TCEQ will recommend that the Commissioners grant the petition with some revisions and will recommend delaying the effective date for compliance for diesel fuel that may ultimately be used to power a diesel-fueled compression-ignition engine in a motor vehicle or in non-road equipment from 1 April 2005 to 1 October 2005. TCEQ will also recommend the addition of language to clarify what constitutes "adequate enforcement provisions" for the alternative emission reduction plans allowed by the rules. The Commission will further recommend the use of new nitrogen oxide reduction calculation models developed by USEPA to determine whether an alternative diesel fuel formulation is equivalent to the Texas Low Emission Diesel standards. The tentative date for proposal of this rulemaking is 15 December 2004. For additional information, please call Clifton Wise at (512) 239-2263.

**(UPDATE) TX Commission on Environmental Quality Departmental Discussion: Cap and Trade Rules for Highly Reactive Volatile Organic Compounds (2004-058-101-AI) (30 TAC 101.390-394, 101.396, 101.399-101.401, 101.403).** TCEQ is discussing the implementation of a cap and trade program for Highly Reactive Volatile Organic Compounds (HRVOC). The cap regulations would limit HRVOC emissions from regulated sources while the trade regulations would allow sources to buy and sell allowances, which are the authorization to emit a fixed amount of a pollutant, on the open market. TCEQ is targeting implementation of the program for 2006. Also, TCEQ plans to propose the regulations as a revision to the State Implementation Plan (SIP). The Commission is scheduled to review the regulations at its 1 December 2004 meeting. A draft of the proposal is available at [http://www.tnrc.state.tx.us/oprd/rule\\_lib/proposals/04058101\\_pro.pdf](http://www.tnrc.state.tx.us/oprd/rule_lib/proposals/04058101_pro.pdf). For additional information, please contact Cory Chisum at (512) 239-0539.

**(UPDATE) TX Commission on Environmental Quality Proposed Report: Water Quality Inventory and 303(d) List.** TCEQ has submitted portions of its 2004 Draft Water Quality Inventory and 303(d) List report for public comment and is soliciting comments on: (1) any new information contained in its 2004 Assessments of Individual Water Bodies; (2) categories assigned to parameters where new information has caused the category to change; (3) guidance changes indicated as new and not implemented previous to 2004; and (4) TMDL ranking. TCEQ planned to issue a revised draft for public review and comment in late April 2004 but the revised draft has been delayed. Staff reports that the revised draft continues to be delayed and anticipate that it will not be posted until the beginning of 2005. The original draft is available online at [http://www.tnrc.state.tx.us/water/quality/04\\_twqi303d/04\\_index.html](http://www.tnrc.state.tx.us/water/quality/04_twqi303d/04_index.html). For additional information, please call Patrick Roques at (512) 239-4604.

**(UPDATE) TX Commission on Environmental Quality Departmental Discussion: Revision of Official Maps for Edwards Aquifer Recharge Zone (2003-029-213-WT) (30 TAC 213.3 (27)).** TCEQ is revising the official maps for the Edwards Aquifer recharge zone that are incorporated by reference in 30 TAC 213.3 (27). Owners or developers of land in certain areas that are currently in transition or contributing zones may be directly affected by re-designation of those areas as recharge zone. The Commission has again pushed back the tentative date to 23 February 2005 for proposing this regulation. For additional information, please contact Debi Dyer at (512) 239-3972.

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## REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Iowa Department of Natural Resources (IDNR)	<a href="http://www.state.ia.us/dnr/">http://www.state.ia.us/dnr/</a>
Iowa General Assembly	<a href="http://www.legis.state.ia.us/">http://www.legis.state.ia.us/</a>
Kansas Department of Health and Environment (KDHE)	<a href="http://www.kdhe.state.ks.us">http://www.kdhe.state.ks.us</a>
Kansas Legislature	<a href="http://www.kslegislature.org/cgi-bin/index.cgi">http://www.kslegislature.org/cgi-bin/index.cgi</a>
Missouri Department of Natural Resources (MDNR)	<a href="http://www.dnr.state.mo.us/homednr.htm">http://www.dnr.state.mo.us/homednr.htm</a>
Missouri General Assembly	<a href="http://www.moga.state.mo.us/">http://www.moga.state.mo.us/</a>
Nebraska Department of Environmental Quality (NDEQ)	<a href="http://www.deq.state.ne.us">http://www.deq.state.ne.us</a>
Nebraska Legislature	<a href="http://www.unicam.state.ne.us/">http://www.unicam.state.ne.us/</a>

### IOWA

### Legislative/Regulatory Activity

**Note:** State of Iowa legislature will convene from 10 January to late April 2005 for regular session.

### STATE OF IOWA FINAL RULES

**(Effective 15 December 2004) IA Department of Natural Resources Proposed Regulation: Amendment to Chapter 22 "Controlling Pollution" and Chapter 23 "Emission Standards for Contaminants" (567 IAC 22, 23, 25).** The Department adopted regulations to amend Chapter 22 "Controlling Pollution" and Chapter 23 "Emission Standards for Contaminants". The revisions also include amendments to Chapter 25 "Measurement of Emissions". The amendments: (1) modify two existing exemptions from construction permitting to allow for the burning of untreated seeds, pellets, and other vegetative materials in residential heating units; (2) makes date modifications to reference the most recent date for which changes to 40 Code of Federal Regulations, Part 60, 61, and 63, were published; (3) rescind subrule 22.2(3); (4) adopt by reference 15 recently promulgated federal NESHAPS; and (5) make minor corrections and updates to the rules. The revisions to Chapter 25 provide clarification that the maintenance of records of continuous monitors, reporting of continuous monitoring information, exemptions from continuous monitoring requirements, and requests for extensions of time to install monitoring equipment are applicable to all owners and operators who are required to install continuous monitors, not just owners or operators of coal-fired steam generating units or sulfuric acid plants. The rule is available online at <http://www.iowadnr.com/epc/04may17/17.pdf> and <http://www.iowadnr.com/epc/04jun21/17.pdf>. For additional information, please call Jim McGraw at (515) 242-5167.

### STATE OF IOWA PROPOSED RULES

**(NEW) IA Department of Natural Resources Proposed Rule: Special Requirements for Visibility Protection, BART (Chapter 22).** The Department is proposing regulations to identify stationary sources of air pollution potentially subject to the Best Available Retrofit Technology (BART) emission control requirements. Regional haze is visibility impairment at federal mandatory Class I areas (i.e., national parks and wilderness areas). It is caused by tiny particles that absorb and scatter sunlight, giving the sky a veil of white and brown haze. Previous federal regulations addressed visibility impairment attributable to specific sources. The Regional Haze Regulations address visibility impairment resulting from air pollution transported hundreds of miles and attributable to the cumulative emissions from widely distributed sources. The department has been meeting with a representative group of potential BART-eligible sources regarding the BART requirements and the timeline mandated by the federal regulations for implementation. Currently, the department anticipates this rule will impact emission units at approximately 40 facilities. The rule was scheduled to be introduced at the Environmental Management Commission hearing 18 October 2004. An informational meeting is scheduled for 9 December 2004. A public hearing is scheduled for 10 January 2005. Written comments are due 14 January 2005. The document can be viewed at: <http://www.iowadnr.com/epc/04oct/14.pdf>. For additional information, please contact Chad Daniel at (515) 242-6494.

(UPDATE) **IA Department of Natural Resources Proposed Regulation: Water Quality Standards (567 IAC 61).** The Department is proposing a rulemaking to amend the cold water aquatic life use designation and to adopt a protocol for assessing and designating water bodies for cold water aquatic life uses. The Environmental Protection Commission (EPC) approved a Notice of Intended Action regarding proposed rulemaking to amend the State's cold water aquatic life use designation and to adopt a protocol for assessing and designating water bodies for cold water aquatic life uses at its meeting 15 March 2004. The rule was adopted at the 18 October 2004 meeting. *For additional information, please contact Chuck Corell at (515) 281-8448.*

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **IA Department of Natural Resources Departmental Discussion: Clean Air Interstate Rule (567 IAC 20, 21, 22, 23, 24, 25).** The Department is discussing implementation of the federal Clean Air Interstate rule. The rule will reduce NO<sub>x</sub> and SO<sub>2</sub> emissions from sources. The rules may include adoption of model cap and trade rules for electrical generating units or statewide emission caps for multiple industrial sectors. Staff expects to send an informational item to the Environmental Protection Commission March 2005. Public hearings are expected June 2005. *For additional information, please contact Chad Daniel at (515) 242-6494.*

(NEW) **IA Department of Natural Resources Departmental Discussion: Revisions to General Use Definition, Water Quality Standards (567 IAC 60, 61, 72).** The Department is discussing revisions to the water quality standards as a result of the 2002 triennial review. The rulemaking would revise the definition of general use. An informational item is expected to be sent to the Environmental Protection Commission in December. Staff will conduct individual stakeholder meetings and technical advisory committee meetings from November 2004 through April 2005. *For additional information, please contact Chuck Corell at (515) 281-8448.*

(NEW) **IA Department of Natural Resources Departmental Discussion: Revisions to Designated Use Definition, Water Quality Standards (567 IAC 60, 61, 72).** The Department is discussing revisions to the water quality standards as a result of the 2002 triennial review. The rulemaking would revise the language for Class B(lr) and create a new use designation for intermittent, pooled conditioned aquatic life use. An informational item is expected to be sent to the Environmental Protection Commission in December. Staff will conduct individual stakeholder meetings and technical advisory committee meetings from November 2004 through April 2005. *For additional information, please contact Chuck Corell at (515) 281-8448.*

(NEW) **IA Department of Natural Resources Departmental Discussion: Revised Implementation of Antidegradation Policy, Water Quality Standards (567 IAC 60, 61, 72).** The Department is discussing revisions to the water quality standards as a result of the 2002 triennial review. The rulemaking would revise implementation of the antidegradation policy. An informational item is expected to be sent to the Environmental Protection Commission in March 2005. Staff will conduct individual stakeholder meetings and technical advisory committee meetings from February 2005 through May 2005. *For additional information, please contact Chuck Corell at (515) 281-8448.*

(NEW) **IA Department of Natural Resources Departmental Discussion: Numerical Criteria for Total Dissolved Solids and Chlorides, Water Quality Standards (567 IAC 60, 61, 72).** The Department is discussing revisions to the water quality standards as a result of the 2002 triennial review. The rulemaking would revise numerical criteria for total dissolved solids and chloride. An informational item is expected to be sent to the Environmental Protection Commission in March 2007. Staff will conduct individual stakeholder meetings and technical advisory committee meetings through February 2007. *For additional information, please contact Chuck Corell at (515) 281-8448.*

(NEW) **IA Department of Natural Resources Departmental Discussion: Revisions to Notification of Hazardous Conditions and Rules for Determining Cleanup Actions and Responsible Parties (567 IAC 131, 133).** The Department is discussing updating two chapters on the notification of hazardous conditions and rules for determining cleanup actions and responsible parties for Brownfields. Staff expects to send an informational item to the Environmental Protection Commission February 2005. *For additional information, please contact Calvin Lundberg at (515) 281-7040.*

(UPDATE) **IA Department of Natural Resources Departmental Discussion: Emissions Standards for Contaminants (567 IAC 23).** The Department is discussing a rule to amend the emissions standards for

contaminants for the controlled burning of demolished buildings. The following changes to the current exemption for controlled burning of a demolished building are proposed: (1) Decrease the number of demolished buildings that can be burned within a 0.6 mile radius within the city limits from three burns in three years to one burn per calendar year; (2) Add a two year record retention period for burns conducted within the city limits; (3) Allow cities to establish a site outside of the city limits for demolished building burns. The burn site must have controlled access and be supervised at all times by city staff. The site must be at least 0.6 mile away from any inhabited building. The city may burn up to 1700 square feet of building material per day between the hours of 6 a.m. and 6 p.m.; (4) Establish record keeping requirements and a two year record retention period for demolished building burns conducted outside of the city limits; and (5) Add landscape waste and residential waste to the list of materials that may not be burned in the controlled burn of a demolished building. The EPC was asked to approve a notice of intended action at their 15 November 2004 meeting. An informational meeting will be held 15 December 2004. A public hearing will be held on 10 January 2005 and comments are due 17 January 2005. The draft is available online at <http://www.iowadnr.com/epc/04aug16/7.pdf> and <http://www.iowadnr.com/epc/04nov/14.pdf>. For additional information, please call Jim McGraw at (515) 242-5167.

**(UPDATE) IA Department of Natural Resources Draft Guidelines: Revised Dispersion Modeling**

**Guidelines.** The Department is drafting revisions to the Air Dispersion Modeling Guidelines. Dispersion modeling is the primary tool used in air quality assessments to determine predicted attainment of the National Ambient Air Quality Standards (NAAQS). The modeling guidelines were finalized 29 September 2004. The guidelines are online at [http://www.iowadnr.com/air/input/files/rev\\_mod\\_guideline.pdf](http://www.iowadnr.com/air/input/files/rev_mod_guideline.pdf) and [http://www.iowadnr.com/air/prof/progdev/files/modeling\\_guidelines.pdf](http://www.iowadnr.com/air/prof/progdev/files/modeling_guidelines.pdf). For additional information, please contact Lori Hanson at (515) 281-8911.

**(UPDATE) IA Department of Natural Resources Departmental Discussion: New Source Review Reform Regulations (567 IAC 20, 22).**

The Department is discussing the New Source Review Reform regulations. The rulemaking will include 6 major areas: (1) plant-wide applicability limits (PALs); (2) clean unit test; (3) pollution control project exclusion; (4) actual emissions baseline; (5) actual-to-projected actual tests; and (6) routine maintenance, repair and replacement. Staff expects to send an information item to the Environmental Protection Commission in February 2005. For additional information, please contact Jim McGraw at (515) 242-5167.

**(UPDATE) IA Department of Natural Resources Draft TMDL.** The Department has drafted TMDLs for the lakes listed below. For additional information, please contact Chris Van Gorp at (515) 281-4791.

**Beeds Lake, Franklin County:** The IDNR has drafted a TMDL for pathogens. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04beedslake.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/BeedsDraftTMDL.pdf>.

**Little Spirit Lake, Dickinson County.** The IDNR has drafted a TMDL for algal growth/Chlorophyll a and turbidity. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04littlespirit.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/LittleSpiritDraftTMDLRevision4.pdf>.

**Mariposa Lake, Jasper County.** The IDNR has drafted a TMDL for algal growth/Chlorophyll a and turbidity. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04mariposa.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/MariposaDraftTMDLRevision3.pdf>.

**North Twin Lake, Calhoun County.** The IDNR has drafted a TMDL for algal growth/Chlorophyll a and turbidity. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04northtwin.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/NorthTwinDraftTMDLRevision4.pdf>.

**Silver Lake, Palo Alto County.** The IDNR has drafted a TMDL for algal growth/Chlorophyll a and turbidity. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04silverlake.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/SilverPaloAltoDraftTMDLRevision3.pdf>.

**Swan Lake, Carroll County.** The IDNR has drafted a TMDL for algal growth/Chlorophyll a and turbidity. For a summary of the TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/schedule/04swanlake.html> and for the complete TMDL, please go to <http://www.iowadnr.com/water/tmdlwqa/tmdl/pdf/draft/SwandraftTMDLRevision4.pdf>. [\[Top\]](#)

## KANSAS

## Legislative/Regulatory Activity

**Note:** State of Kansas legislature will convene from 10 January to late April 2005 for regular session.

### STATE OF KANSAS PROPOSED RULES

(UPDATE) **KS Department of Health And Environment Draft Regulation: Adoption of Consolidated Air Rule.** The KDHE is discussing the adoption of the federal Consolidated Air Rule (CAR). CAR maintains the current levels of health and environmental benefits from the 16 existing rules, which are currently reducing emissions of volatile organic compounds (VOCs) and air toxics to the atmosphere. The comment period ended 1 November 2004. Staff expects the rule to be effective by 31 December 2004. *For additional information, please contact Ralph Kieffer at (785) 296-6428.*

(UPDATE) **KS Department of Health And Environment Withdrawal of Draft Regulation: 2004 Surface Water Register.** The Department is withdrawing the 2004 Surface Water Register. Four hundred twenty-seven stream segments and 45 lakes have been evaluated by a use attainability analysis (UAA) to determine the appropriate recreational use designation. Because of other regulatory agendas, staff has decided not to publish a 2004 Register. All changes that would have been made in 2004 will be made in 2005. The text can be viewed at [http://www.kdhe.state.ks.us/befs/notice\\_of\\_intent.html](http://www.kdhe.state.ks.us/befs/notice_of_intent.html). *For additional information, please contact Ricquelle Landis at (785) 296-6603.*

(UPDATE) **KS Department of Health and Environment Proposed Rule: Amendment to Inventory Report Rule.** The Department is discussing a rulemaking to amend the Inventory Report Rule. The KDHE is discussing a possible increase in fees, changing the submission date of class II inventories to 1 April, and minor housekeeping changes. Staff reports the amendments have been with the Department of Administration awaiting their review. Subsequent to review by the Department of Administration, the amendments will undergo Attorney General review. *For additional information, please contact Ralph Kieffer at (785) 296-6428.*

### OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) **KS Department of Health And Environment Final Permits: General Stormwater MS4 Permits.** The Department has adopted two draft general stormwater permits for small municipalities with separate storm sewer systems (MS4). Each permit is a combined Kansas Water Pollution Control general stormwater permit and National Pollutant Discharge Elimination System general stormwater permit. The permits are written for non-urban (General Permit No. G-NUA-0604-S001) and urbanized (General Permit No. G-UA-0604-S001) areas in Kansas based on the 2000 U.S. census and the designation criteria in 40 CFR Parts 122 and 123. The small MS4 general permit program addresses MS4s that generally serve populations less than 100,000 in urbanized areas, and those MS4s located outside of urbanized areas that have or may have the potential to negatively impact surface water quality as a result of their discharges. The general permit went into effect 1 October 2004. Additional information regarding the draft permits is available at <http://www.kdhe.state.ks.us/muni/ms4.htm>. *For additional Information, please contact Rance Walker at (785) 296-5537.*

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## MISSOURI

## Legislative/Regulatory Activity

**Note:** State of Missouri legislature will convene from 5 January to 30 May 2005 for regular session.



## STATE OF MISSOURI FINAL RULES

### **(Effective 30 November 2004) MO Department of Natural Resources Proposed Regulation: Incorporation by Reference of Federal Laboratory and Analytical Requirements for Drinking Water (10 CSR 060-05.010).**

The MDNR has revised the laboratory and analytical requirements contained within the public drinking water program regulations. The revisions incorporate by reference applicable federal standards including standards for: inorganic and secondary contaminant analytical methods; organic contaminant analytical methods; microbiological contaminant and turbidity analytical methods; radiological contaminant analytical methods; disinfection by-product, residual disinfectant concentration, and disinfection by-product precursor analytical methods; inorganic contaminant and total Trihalomethane sample collection procedures; and sample compositing procedures for inorganic contaminants, volatile organic contaminants, synthetic contaminants and radiological contaminants. The rulemaking was filed with the Secretary of State on 9 September 2004. The rule is final, effective 30 November 2004. *For additional information, please contact Linda McCarty at (573) 751-5331.*

### **(Effective 30 December 2004) MO Department of Natural Resources Adopted Regulation Published 1 November 2004: Amendments To Emissions Fees (2641) (10 CSR 10-6.110).**

The Department has adopted the rule that governs emissions fees. The emissions fee for the calendar year 2004 is \$33.00 per ton of regulated air pollutant (which is a \$1 decrease from 2003). The MDNR adopted the rule 26 August 2004. The effective date is 30 December 2004. *For additional information, please contact Ron Jeffries at (573) 751-4817.*

### **(Effective 30 December 2004) MO Department of Natural Resources Adopted Regulation Published 1 November 2004: Adoption of Federal New Source Review Rules (2677) (10 CSR 010-6.060).**

The Department has adopted the provisions of the federal New Source Review (NSR) improvement final rule in attainment areas. The amendments to the regulation add definitions for baseline area, baseline concentration and minor source baseline date and incorporate the requirements of 40 CFR 51.166 by reference. The amendments also change language in section 9 of 010-6.060 that exempts electric utility steam generating units from hazardous air permit requirements to specify that such exemptions only apply to those units listed on the source category list. The effective date is 30 December 2004. *For additional information, please contact Shaen Rooney at (573) 751-4817.*

### **(Effective 30 December 2004) MO Department of Natural Resources Adopted Regulation Published 1 November 2004: Amendments to Prohibit Emissions Reductions Credits from Projects that take Advantage of The New Source Review Improvement Rule's Pollution Control Project Exclusion (2678) (10 CSR 010-6.410).**

The Department has adopted amendments to its emissions banking and trading regulation. The amendments prohibit the generation of emission reduction credits from projects that take advantage of the Pollution Control Project Exclusion from the 31 December 2002 New Source Review improvement rule. The Pollution Control Project Exclusion may be sought when a project is installed at an existing source where it reduces the emissions rate of one air pollutant while increasing emissions of a different, "collateral" pollutant. The effective date is 30 December 2004. *For additional information, please contact Shaen Rooney at (573) 751-4817.*

## STATE OF MISSOURI PROPOSED RULES

**(UPDATE) MO Department of Natural Resources Proposed Regulation: Risk-Based Remediation of Groundwater (10 CSR 20-7.040).** This rule is intended to complement federal and state laws and regulations. Any person conducting a groundwater cleanup under the authority of any state environmental statute would follow the process contained in this rule. The rule further defines the procedures that are presently allowed under the Missouri Water Quality Standards 10 CSR 20-7.031(5)(D). Unless site-specific alternative groundwater cleanup standards are established through these procedures, the values in Table A or other parts of the Missouri Water Quality Standards remain the cleanup standards for groundwater. Alternative standards may be established to reflect site-specific, risk-based exposure conditions, institutional controls, continuing monitoring, and other aspects of remedial action plans. The procedures in this rule will be phased into current operations under existing authority. The Department formally withdrew the proposal but is now discussing a new rule. The Department is still in the drafting period. While the proposal had been scheduled to be filed with the MO Secretary of State in January, the Department delayed publishing a proposal based on comments received from their stakeholder group. The Department has established a tentative schedule for this rulemaking as follows: Filing with Secretary of State 25 March 2005; Public hearing 1 June; Comments due 30 June; Effective 1 December 2005. *For additional information, please contact John Madras at (573) 751-1123.*

(UPDATE) **MO Department of Natural Resources Proposed Regulation Published 2 August 2004: Increase to the Insignificant Emissions Levels For Minor Construction Permitting (2691) (10 CSR 010-06.061).** The Department has proposed a rulemaking to revise 10 CSR 010-06.061, Construction Permit Exemptions. The rulemaking will increase the insignificant emission levels that determine when an installation requires a construction permit for insignificant modifications. The exemptions will reduce permitting burdens for the construction industry and for small sources of Volatile Organic Compounds. On 3 February 2004, the Department obtained a 12-month variance from the Missouri Air Conservation Commission that allows installations to take advantage of the lower emission level exemptions prior to the finalization of the rulemaking. The tentative date for the publication of the order of rulemaking is 2 January 2005 and the tentative effective date is 28 February 2005. The proposed regulations are on pages 1193-1196 of the 2 August 2004 issue of the MO Register, available at <http://www.sos.mo.gov/adrules/moreg/current/2004/v29n15/v29n15b.pdf>. For additional information, please contact Paul McConnell at (573) 751-4817.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **MO Department of Natural Resources Departmental Discussion: Adoption By Reference of Federal Emission Standards (2656, 2658 & 2659) (10 CSR 010-6.070, 10-6.075 & 10-6.080).** The Department is discussing a rulemaking to adopt by reference federal emissions standards (Title V). The rulemaking will adopt two, four, seven and ten year Maximum Achievable Control Technology standards. The rulemaking will also adopt performance criteria for new or modified stationary sources of hazardous air pollutants. The Department has established a tentative public hearing date of 3 February 2005 and a tentative comment due date of 10 February 2005. For additional information, please contact Don Cripe at (573) 751-4817.

(UPDATE) **MO Department of Natural Resources Departmental Discussion: Amendments to Basic and Intermediate Operating Permit Program (2645) (10 CSR 10-6.065).** The revisions to the operating permit program for basic sources will include the treatment of fugitive emissions with regards to applicability, an installation equipment log for the record keeping requirement, a clarification of permit amendments and modifications, the removal of the annual compliance certification, and a revised operating permit notification. The changes to the operating permit program for intermediate sources will revise the program to mirror 40 CFR Part 70 which will add flexibility to the processing of permits. Based on this rulemaking, the Missouri Air Conservation Commission has granted a variance from the existing basic operating permit requirements of 10 CSR 10-6.065(4)(G), Notification Contents, by allowing basic installations to use the revised operating permit notification forms. Due to the variance, basic installers will not be required to submit an annual compliance certification requirement for 2003 under 10 CSR 10-6.065(4)(I), Compliance Reporting obligations. The tentative date for filing the rulemaking with the Secretary of State is now 15 December 2004. The revised basic operating permit notification form is available under the heading "Air Pollution" and subheading "Generic Operating Permit" at <http://www.dnr.mo.gov/oac/forms>. For additional information, please contact Ben Elmore at (573) 751-4817.

(UPDATE) **MO Department of Natural Resources Departmental Discussion: Amendments to Water Quality Standards (10 CSR 020-07.031).** The Department is planning revisions to its water quality standards. The revisions include limiting high flow exemptions from bacterial standards and removing an existing allowance for mixing zones in low flow streams. The revisions will also change the analysis method for water used as part of the drinking water supply from "dissolved metals" to "recoverable metals". The revisions tighten the anti-degradation standard for outstanding natural resource waters (waters which receive special protection against degradation.) Additionally, the revisions will make the state effluent standards more consistent with federal effluent guidelines. However, because of recent revisions to the regulatory review process, staff reports that the proposal has been delayed. The scheduled date for filing a proposal with the Secretary of State has been pushed back to 15 December 2004. The Department will accept comments on the regulatory impact report for this regulation through 16 December 2004. The regulatory impact report for this regulation is available at <http://www.dnr.state.mo.us/wpscd/wpcp/rules/10-CSR-20-7-015-rir.pdf>. For additional information, please contact Phil Schroeder at (573) 751-6825.

(UPDATE) **MO Department of Natural Resources Departmental Discussion: 2003 Triennial Review of Water Quality Standards.** The Department is working on a 2003 triennial review of Missouri's water quality standards. During the triennial review, amendment of all of the state's water quality standards is considered. The Department is discussing: (1) the addition of whole-body contact recreation use to all classified waters in the state; (2) removal of the high flow exemption for fecal coliform bacteria; (3) adoption of the total recoverable method to measure compliance with drinking water standards; (4) adoption of the 1999 USEPA ammonia criteria; (5) development of

dissolved oxygen standards based on waterbody type; and (6) permitting issues in national outstanding resource waters. The scheduled date for filing a proposal with the Secretary of State has been pushed back to 15 December 2004. The Department will accept comments on the Regulatory Impact Report for this regulation through 16 December 2004. The Regulatory Impact Report for this regulation is available at:

<http://www.dnr.state.mo.us/wpscd/wpcp/rules/10-CSR-20-7-031-rir.pdf>. For additional information, please contact Stacia Bax at (573) 526-1445.

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## NEBRASKA

## Legislative/Regulatory Activity

**Note:** State of Nebraska legislature will convene from 5 January to early June 2005 for regular session.

No significant regulatory or legislative activity during this period.

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## FEDERAL ACTIONS

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### EPA FINAL RULES

**(29 November 2004) Approval and Promulgation of Implementation Plans, Texas: Memorandum of Agreement Between Texas Council on Environmental Quality and the North Central Texas Council of Governments Providing Emissions Offsets to Dallas Fort Worth International Airport.** EPA is taking direct final action approving a State Implementation Plan (SIP) revision submitted by the Texas Commission on Environmental Quality (TCEQ) on 23 February 2004. This revision concerns the Dallas/Fort Worth ozone non-attainment area. Specifically, EPA is approving incorporation of a Memorandum of Agreement (MOA) between TCEQ and the North Central Texas Council of Governments (NCTCOG) into the SIP. This MOA commits the NCTCOG to provide the Dallas-Fort Worth International Airport with emissions offsets in the amount of 0.18 tons per day (tpd) of nitrogen oxides (NO<sub>x</sub>) and 0.04 tpd of volatile organic compounds (VOCs) in 2007 and to adjust the modeled 2015 on-road emission estimates to reflect an increase of 1.17 tpd of NO<sub>x</sub> and 0.26 tpd of VOCs, which must be accommodated in future transportation conformity determinations. This action is necessary in order for the Federal Aviation Administration (FAA) to address requirements under the general conformity regulations. This rule is effective on 28 December 2004 without further notice, unless EPA receives adverse comment by 29 November 2004. If EPA receives such comment, EPA will publish a timely withdrawal in the Federal Register informing the public that this rule will not take effect.

**(Effective 29 October 2004) Water Quality Standards; Withdrawal of Certain Federal Water Quality Criteria Applicable to Alaska, Arkansas, and Puerto Rico.** EPA has taken final action to amend the Federal regulations to withdraw certain water quality criteria applicable to Alaska, Arkansas, and Puerto Rico. In 1992, EPA promulgated Federal regulations, through the National Toxics Rule ("NTR"), establishing water quality criteria for toxic pollutants for 12 states and two territories, including Alaska, Arkansas, and Puerto Rico. These two states and one territory have now adopted, and EPA has approved, certain water quality criteria included in the NTR. Since Alaska, Arkansas, and Puerto Rico now have criteria, effective under the Clean Water Act, for the same priority toxic pollutants in the NTR, EPA has determined that the Federally promulgated criteria are no longer needed for these pollutants. In this action, EPA has amended the Federal regulations to withdraw those certain criteria applicable to Alaska, Arkansas, and Puerto Rico. EPA is withdrawing its criteria without a notice and comment rulemaking because the adopted criteria are no less stringent than Federal criteria (see 65 FR 19659, April 12, 2000). This final rule is effective on 29 October 2004.

**(Effective 3 January 2005) EPA Approval and Promulgation of Implementation Plans; State of Iowa.** EPA is announcing it is approving a revision to the Iowa State Implementation Plan (SIP) for the purpose of revising

open burning rules. This revision includes a provision that allows the Iowa Department of Natural Resources (IDNR) to require the submittal of additional information when a variance from open burning rules is requested, reemphasizes the state's obligation to protect the National Ambient Air Quality Standards (NAAQS) with regard to open burning, clarifies National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidance for disaster rubbish, updates guidance for training fires, and provides clarification to the existing open burning rules covering agricultural structures. This direct final rule will be effective 3 January 2005, without further notice, unless EPA receives adverse comment by 3 December 2004. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect.

**(Effective 11 January 2005) Approval and Promulgation of State Implementation Plans; State of Iowa.** EPA is announcing a revision to the Iowa State implementation plan (SIP) establishing exemptions for equipment that is either used for non-production activities or exhausted inside a building, to establish an exemption for manually-operated equipment, and to establish exemptions for emission units that can be classified as small units. The State has determined that air pollution emissions from this equipment are negligible and these exemptions are likely to result in no significant impact on human health or the environment. This direct final rule will be effective 11 January 2005, without further notice, unless EPA receives adverse comment by 13 December 2004. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect.

## **EPA PROPOSED RULES**

**Withdrawal of Proposed Rule: Guidelines Establishing Test Procedures for the Analysis of Pollutants; Procedures for Detection and Quantitation.** On 12 March 2003 EPA published a document in the Federal Register that proposed revisions to the regulations for the definition and procedure for EPA's method detection limit (MDL). The document also proposed to add to these regulations a definition of minimum level of quantitation (ML) and a procedure for developing it. The proposed rule requested comment on the revisions and additions. The MDL and ML are used to characterize the capabilities of analytical test procedures applied under the Clean Water Act (CWA). The proposed revisions were based on EPA's 2003 assessment of approaches to determining detection and quantitation capabilities of analytical methods. The proposed revisions were disfavored by the vast majority of commenters on the March 2003 proposed rule, and the Agency has determined that these proposed revisions do not represent the most effective way to address the public's and EPA's concerns regarding approaches to, and use of, detection and quantitation values. EPA plans to work with stakeholders to evaluate one or more approaches to detection and quantitation that will satisfy the needs of programs, regulations, and initiatives at the Federal level for use of detection and quantitation procedures, and to revise its existing procedures, as appropriate. The full text document location is <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-24823.htm>.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**US Army Corps of Engineers, Engineer Research and Development Center (USACE, ERDC) Releases Spatial Data Standard (SDSFIE).** To reduce expenses related to certifying software applications on older operating systems, the USACE CADD/GIS Technology Center will certify Release 2.31 of the Spatial Data Standard for facilities, infrastructure and environment (SDSFIE) and the Facilities Management Standard for facilities, infrastructure and environment (FMSFIE) to run on Windows NT, Windows 2000, and Windows XP exclusively. Both the SDSFIE and the FMSFIE discontinued support of Windows 95, Windows 98, and Windows Millennium operating systems in March 2004. Although the software may continue to operate on these older systems without problems, certification by the Center will no longer be maintained. The SDSFIE Release 2.31 is available for download at <https://tsc.wes.army.mil/products/tssds-tsfs/tssds/projects/sds/default.asp>. For more information, please contact the CADD/GIS Technology Center at (601) 634-4109.

**Notice of Availability of Final Document: Air Quality Criteria for Particulate Matter.** This notice announces the availability of a final document, Air Quality Criteria for Particulate Matter (EPA/600/P-99/002aF, EPA/600/P-99/002bF) that was prepared by the EPA National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD). Section 108 (a) of the Clean Air Act directs the Administrator to identify certain pollutants which "may reasonably be anticipated to endanger public health and welfare" and to issue air quality criteria for them. These air quality criteria are to "accurately reflect the latest scientific knowledge useful in

indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air." EPA is then to establish National Ambient Air Quality Standards (NAAQS) for each pollutant for which EPA has issued criteria. Section 109 (d) of the Act requires "thorough" periodic review and, if appropriate, revision of existing air quality criteria to reflect the latest scientific data on all identifiable effects on public health and welfare of the pollutant. EPA is also to revise the NAAQS, if appropriate, based on the revised criteria. Particulate matter (PM) is one of six "criteria" pollutants for which EPA has established air quality criteria and NAAQS. The document will be made available electronically at <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=2832>

**A Report to the President on Federal Energy and Environmental Management (2002-2003), Notice of Availability.** Mr. Edwin Pinero, Federal Environmental Executive, has submitted the biennial Report on Federal Energy and Environmental Management for 2002-2003 to President George W. Bush. The document is available electronically at [http://www.ofee.gov/final\\_report.pdf](http://www.ofee.gov/final_report.pdf).

**EPA Announces the Opening of Four New EMS Local Resource Centers.** The Office of Water, working in cooperation with the Global Environment and Technology Foundation, has announced the selection of four new Environmental Management Systems (EMS) Local Resource Centers (PEER Centers) to help local governments learn more about and adopt EMSs for their operations. These Centers are part of the Office of Water's ongoing Public Entity EMS Resource (PEER) Initiative. The new Centers are located at the University of Missouri-Rolla, Kansas State University, the University of Colorado, and EcoVenture in Oakland, California. EMSs provide organizations with a structured approach for assessing and reducing their environmental impacts on a continual basis. Acting Assistant Administrator Benjamin Grumbles said "we are impressed by the expertise and willingness of these organizations to serve the EMS needs of public entities." These new Centers join seven existing Centers around the country as part of the Office of Water's ongoing effort to promote EMS adoption by local governments to improve environmental performance and help ensure sustainable infrastructure for the future. More information about the Centers can be found at [www.peercenter.net](http://www.peercenter.net).

## U.S. FISH AND WILDLIFE SERVICE

**Proposed Endangered Status for the Sacramento Mountains Checkerspot Butterfly and Proposed Designation of Critical Habitat.** The USFWS announced the availability of the draft economic analysis and draft environmental assessment for the proposal to designate critical habitat for the Sacramento Mountains checkerspot butterfly (*Euphydryas anicia cloudcrofti*) under the Endangered Species Act of 1973, as amended. The USFWS is reopening the public comment period for the proposal to list this species as endangered with critical habitat to allow all interested parties to comment on the proposed listing and critical habitat designation, as well as the associated draft economic analysis and draft environmental assessment. Comments previously submitted on the September 6, 2001 (66 FR 46575), proposed rule to list the butterfly as endangered with critical habitat need not be resubmitted as they have been incorporated into the public record and will be fully considered in preparation of the final listing and critical habitat determination. For additional information, please go to <http://www.epa.gov/fedrgstr/EPA-IMPACT/2004/November/Day-08/i24869.htm>.

AEC Comment: There is a potential impact on Army installations. The Sacramento Mountain checkerspot butterfly is found in Otero County, New Mexico and both Fort Bliss and White Sands Missile Range are partially located in Otero County. For additional information or to provide comment, please contact the Media Manager at 410-436-1564.

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## REGIONAL MEETINGS

**Southwest Strategy Regional Executive Committee Meeting.** This meeting is scheduled for **7-8 December 2004** in **Albuquerque, New Mexico**. For additional information, please contact the Southwest Strategy Coordination Office at (505) 248-6882.

**Southwest Strategy Agency Coordinators Meeting.** This meeting will be held on **1-2 March 2004** in **Phoenix, Arizona**. For additional information, please contact the Project Manager at (816) 983-3451.



**EPA Region 7 Federal Facilities Conference.** The conference is scheduled for **24-26 May 2005**. For additional information call the Army REC at (816) 983-3447.

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## TRAINING COURSES AND WORKSHOPS

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**USACE PROSPECT Training.** The USACE Prospect program provides job-related training through technical, professional, managerial and leadership courses to meet the unique needs of the USACE and other government agencies. The courses are open to all federal agencies. The current fiscal year schedule of classes is available at <http://pdsc.usace.army.mil/courseschedule.asp>. To register, please contact the USACE Registrar at (256) 895-7425 or 7421.

**Army Environmental Training Symposium.** The purpose of this symposium is to provide training to installation (Active Army, National Guard, and Army Reserve) environmental personnel, installation stakeholders, and other members of the Army environmental community. The workshop will primarily consist of numerous environmental short courses and seminars and will provide information on emerging issues and new business processes. The training will take place in **Kansas City, Missouri** on **14-18 February 2005**. To register and/or obtain training course additional details, please go to <http://www.armysymposiumregistration.com>.

**Introductory Risk Communication Workshop.** The CHPPM is presenting this workshop to provide participants with a basic understanding of the concepts, principles and process of effective risk communication planning. The workshop provides participants with an understanding of essential communication skills and tools for building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. The workshop is scheduled for **11-13 January 2005 San Antonio, Texas** and **29-31 March 2005 in Edgewood, Maryland**. For more information, please go to <http://chppm-www.apgea.army.mil/risk>, click "Training," and then scroll to "Introductory and Advanced Health Risk Communication Workshops."

**2005 National Military Fish and Wildlife Association Annual Training Session.** This training session is planned for **14-17 March 2005** in **Arlington, Virginia**. The following sessions planned include:

- Invasive Species Management (plants and animals).
- Habitat Restoration.
- Chesapeake Bay Issues.
- Wildlife Research Supports the Military Training Mission.
- Reptile and Amphibian Biology and Management.
- Invertebrate Species Biology and Management.

Additional information can be found at <http://www.nmfwa.org/>, 2005 Meeting.

**14<sup>th</sup> Annual ITAM Workshop.** In accordance with the FY05 ITAM Workshop Memo, Camp Atterbury and ERDC has been selected as hosts for the 2005 ITAM Workshop. This Workshop will be held from **1 - 4 August 2005** in **Indianapolis, Indiana**. Please go to <http://srp.army.mil/public/home.jsp> to keep abreast of additional details regarding this important workshop.

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## CONFERENCES AND SYMPOSIUMS

**Wastewater Provisions as Significant Air Regulations.** Since the mid-1990's, the U.S. Environmental Protection Agency has promulgated an array of air pollution control standards limiting atmospheric emissions related to the processing, management and treatment of industrial wastewater streams containing organic compound emissions. The purpose of this specialty conference is to offer education regarding these very unusual standards. This conference will be held on **7-8 December 2004** in **New Orleans, Louisiana**. These Air and Waste Management specialty conferences feature original technical presentations on specific topics relating to air quality, waste management and environmental management. For additional information, please go to [Wastewater Provisions as Significant Air Regulations](#) or <http://www.awma.org/events/wastewater/callforpapers.pdf>.

**Fourth Annual Installation Management Institute (IMI).** The Office of the Assistant Chief of Staff of Installation Management (OACSIM) is pleased to sponsor the fourth annual Installation Management Institute (IMI), to be held on **10-14 January 2005** in **Orlando, Florida**. The IMI will offer centralized training for the dissemination of information/instruction required to accomplish various installation management missions. IMI training will consist of focused classroom instruction presented through individual functional training tracks. A four-hour general session will be held on Tuesday morning for all training attendees that will include lectures from the HQDA and OSD levels. The six functional training tracks will include:

- General Installation Management Training Track
- Master Planning Training Track
- Real Property Management and Real Estate Processes Training Track
- GIS Training Track
- DPW Business Operations Training Track
- Competitive Sources Training Track

For additional details, please go to <https://www.enstg.com/RegisterNow/Index.cfm?CFID=40433&CFTOKEN=38092864>.

**Third International Conference on Remediation of Contaminated Sediments.** Finding Achievable Risk Reduction Solutions is the theme of the Third International Conference on Remediation of Contaminated Sediments to be held in **New Orleans, Louisiana** on **24-27 January 2005**. The Conference program will address management considerations, policies and guidelines that affect decision-making, the definition of remediation success, and lessons learned in addition to the typically strong interest in characterization and standard remediation approaches. The program is made up of 23 sessions and 270 platform and poster presentations. Platform papers and panel discussions will be presented in four concurrent tracks Tuesday morning through midday Thursday. Posters will be displayed in two successive groups, Monday afternoon through Thursday morning, and poster presentations will be given during continental breakfast (7:00-9:00 A.M.) Tuesday and Wednesday. For more information can be found at <http://www.battelle.org/environment/er/conferences/sedimentscon/default.stm>.

**KDHE Non-point Source Seminar.** The Kansas Department of Health & Environment (KDHE), Bureau of Water, Watershed Management Section is conducting a seminar with various non-point source pollution control projects and local environmental protection programs. The purpose of the seminar is to facilitate communication of project results and activities among all parties interested in non-point source pollution control. These projects have been selected from the area of the seminar location. The seminar will be held on **3 February 2005** in **Hays, Kansas**. For additional information, please call (785) 296-4195.

**National Environmental Partnership Summit.** The 2005 National Environmental Partnership Summit is a four-day program focused on sharing innovations in pollution prevention, compliance assistance and environmental leadership. The Summit will take place on **11-14 April 2005** in **Chicago, Illinois**. The Summit will merge the annual meetings of the National Pollution Prevention Roundtable, the Compliance Assistance Providers' Forum and the Performance Track Participants' Association. In addition, The Summit planning team would like to diversify the formats for this conference. The team is planning to have some classic panel presentations with individual papers woven together thematically, but they are also interested in hearing from interested parties who would like to suggest and facilitate a dialogue, plan a results-focused work session or custom design an entire 90 minute session with their own hand-picked speakers. To learn more, please go to <http://www.environmentalsummit.org/IntroductionCallforContent.cfm>.

**2005 Joint Services Environmental Management Conference and Exposition.** The 2005 conference will combine two major events - the Joint Services Environmental Management Conference (JSEM) and NDIA's Environment & Energy Divisions Annual Symposium. This combined conference is designed to support and enhance environmental programs within the Department of Defense and other federal agencies. By combining the resources of these previously separate conferences, the conference organizers hope to achieve results and benefits in efficiency to both DoD and industry participants. In addition, it will offer an unprecedented level of policy discourse and an extensive discussion of technical issues. The conference will be held in **Tampa, Florida** on **11-14 April 2005**. For more information on this conference, please go to <http://register.ndia.org/interview/register.ndia?~Brochure~5440> or call (703) 247-2587.

**Texas Commission on Environmental Quality (TCEQ) Presents the Environmental Trade Fair and Conference (ETFC).** TCEQ Environmental Trade Fair and Conference (ETFC) will be held in the Convention Center in **Austin, Texas** on **2-4 May 2005**. Attendees will:

- Learn how to reduce environmental impacts and save money;
- Find out how to receive regulatory relief and other incentives from TCEQ;
- Hear success stories about performance-based EMSs and innovative programs; and
- Network and gain ideas on developing community partnerships.

For additional information, please go to <http://www.tnrcc.state.tx.us/exec/sbea/etf/etf.html>.

**Second Conference on Sustainable Range Management.** Planning is underway for the Second Conference on Sustainable Range Management, to be held in **Las Vegas, 15-18 August 2005**. The Conference is designed to facilitate exchange of information among all stakeholders concerned with how military ranges and training areas can be used to test and evaluate weapon systems and train DoD personnel without conflicting with economic, environmental, and other concerns. The technical program will consider the many issues including operational range management, urban encroachment, frequency and airspace competition, munitions constituents and UXO, protection of endangered species, protection of air quality, sustainability of the maritime environment, noise abatement, and outreach. For additional information, please go to <http://www.battelle.org/environment/er/conferences/range/default.stm>.

**AWMA Workshop: Understanding the Changing World of New Source Review (NSR).** The world of NSR is one of the most complex and ever changing issues today. To understand these changes, the workshop will endeavor to show where each version of the rule applies; explain the basics of the major NSR permit requirements (BACT, LAER, etc.); discuss the applicability criteria for each version of the rule, allowing you to determine whether major NSR applies to a project; update you on the latest enforcement initiatives, settlement agreements, and court decisions; and provide an idea of what's in store for NSR rules and programs in the near future. The workshop will be held in New Orleans, Louisiana on **8-9 September 2005**. For additional information, please go to <http://www.awma.org/events/workshops/NSR04/default.asp>.

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**Acronyms and Abbreviations** The list of acronyms and abbreviations can be found on the AEC web site at <http://aec.army.mil/usaec/reo/creo03.html> and on DENIX at <https://www.denix.osd.mil/denix/State/Partnering/REC/rec.html> (click Information Library).



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